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HFA

MEMORANDUM FOR THE RECORD

SUBJECT: Hearings Before the House Foreign Affairs Committee,
Subcommittee on Asian & Pacific Affairs, re Murder
of Henry Liu, Taiwanese-American Citizen, 15 October
1984

1. The Subcommittee convened at 1:30 p.m., on
7 February 1985, in Room 2172 Rayburn, to hold hearings on
the murder of Henry Liu, an American citizen of Chinese
descent, in Daly City, California, on 15 October 1984. The
following Members of the Subcommittee were present:

Stephen J. Solarz, Chairman (D., NY)
Mervyn Dymally (D., NY)
Robert G. Torrecelli (D., NJ)
Tom Lantos (D., CA)*

James Leach, Ranking Minority Member (R., IA)
Douglas K. Bereuter (R., NE)
Gerald B. H. Solomon (R., NY)
Toby Roth (R., WI)

Witnesses:

The Hon. Norman Y. Mineta, Member of Congress**
The Hon. William Brown, Deputy Assistant Secretary
of State for East Asian and Pacific Affairs
Mrs. Helena Liu, widow of Henry Liu
Professor Michael Glennon, University of Cincinnati
Law School, formerly Legal Counsel for the Senate
Foreign Relations Committee.

*Mr. Lantos is not a Member of the Subcommittee, but was
invited because Mrs. Liu resides in his Congressional
district.

**Mr. Mineta was invited to testify because he is the most
senior House Member of Asian ancestry.

In Mr. Solarz' opening statement he stated that the
purpose for the hearings was to determine whether:

a) the relevant agencies of the Executive Branch have
acted properly in trying to secure justice for Henry Liu, by
mounting a vigorous investigation and taking appropriate
diplomatic steps;

b) the murder of Henry Liu was an isolated incident or
only the most visible manifestation of a consistent pattern
of acts of intimidation or harassment; and

c) the existing legal framework for restricting illegitimate foreign agent activity is strong enough, or is new legislation required to better protect the rights of people within the territorial boundaries of the United States.

A copy of Mr. Solarz' opening statement is attached.

Mr. Leach read portion of his opening statement, stating that the Congress expects the Taiwanese Government to cooperate fully with the State Department and FBI officials and failure to provide cooperation may force the Congress and the Executive Branch to consider sanctions against Taiwan, e.g., a cut-back in the number of CCNAA (Taiwan's Coordination Council for North American Affairs) in the United States, a withdrawal of all Taiwanese Government personnel who may be part of the intelligence services implicated in ordering the murder (of Henry Liu).

Mr. Solomon took note of all the criticisms being leveled against Taiwan, whose government is friendly to the United States, that he was not in sympathy with the undue criticism of our allies: Taiwan, South Korea, the Philippines or many of our other friends; that no one criticizes the KGB here in Washington or at the United Nations and elsewhere throughout the country. "I would like to try to change the tone here." He went on to say that it was being implied (at the Hearings) that the Taiwanese Government was not cooperating, but that he found they were going out of their way to cooperate.

Mr. Mineta, the first witness, began by commenting on the murder of a Mr. Chen in Michigan and now the murder of Mr. Henry Liu and implied a pattern of discrimination against Americans of Asian ancestry in that their basic rights were being violated and no apparent concern or action by the Reagan Administration. He said that if a Polish-American journalist were murdered in the United States by Polish agents, the national outcry would be enormous, and the issue would be raised at the highest levels. He cited a letter he had written to Attorney General Smith about the murder of the Taiwanese-American in Michigan stating that he believed this Administration was not concerned with the most basic of human rights of citizens. Mr. Mineta was not pleased with the form-letter response from the Attorney General which simply acknowledged receipt of his letter.

In concluding his remarks, Mr. Mineta emphasized his deep concern with what was the apparent freedom of agents of foreign governments to seek out and terrorize foreign nationals (in the U.S.)--agents come here, do their dirty work, and run back to their country where they claim protection of the foreign nation's laws for behavior that dishonors that nation.

He will ask the House Permanent Select Committee on Intelligence to begin an intense investigation of this whole matter.

Mr. Solarz responded that State Department has requested the Taiwanese Government to return the individuals; and the FBI conducted a vigorous investigation of the murder. What precisely would he like to have the Administration do that has not already been done with respect to this murder? Mr. Mineta said he wanted the three individuals interviewed (from Military Intelligence of the Ministry of Defense). Mr. Solarz said he was not prepared to reach the conclusion that this (murder) is a "consistent pattern of treatment of Asian-Americans." Mr. Leach commented that it might be premature to call for ending of arms sales.

Mr. Lantos asked that in light of Mr. Mineta's service on the Intelligence Committee could he shed some light on the rationale for the assassination of Mr. Liu: could his writings have had an impact? Mr. Mineta said he did not think he was in a position to indicate what the rationale might have been and, frankly, even though the Intelligence Committee had material and he looked at it over a period of time while serving on the (HPSCI) he was not sure he was able to indicate if it existed. Mr. Roth thanked Mr. Mineta for his testimony, but added that he failed to see any connection between the murder of Mr. Chen and Mr. Liu.

Mr. Mineta closed by saying that he himself, when he was ten and one-half years of age, was put in a detention camp in 1942 and felt very strongly about this issue (of discrimination against Asian-Americans).

The next witness, The Honorable William Brown, Deputy Assistant Secretary of State for East Asian and Pacific Affairs, provided non-confidential information on the State Department's involvement with the Taiwan Government (based on requests from the FBI). Mr. Brown said he might not respond to a number of things since what he might say would be repeated in the press. He did not wish to say anything that might prejudice an ongoing investigation and any possible prosecutions that may occur within the United States. He further said, with the indulgence of the Subcommittee, that he proposed not to allude to, confirm or deny, names of any of the suspects in the American investigation of the case, and that any such questions be directed to law enforcement officials investigating the case. This was followed by a number of questions posed to Mr. Brown on cooperation from the Taiwan Government, and extradition treaties (none between USG and Taiwan).

Mrs. Henry Liu, the widow of the murdered man, was accompanied by her attorney and also a Professor Lee Chiu Wong(?), provided information on her late husband and his writings about President Chiang; she believed her husband was killed by the Government of Taiwan. Mrs. Liu was asked whether her husband had visited Mainland China (Answer: four times--1975, 1980, 1981 and 1984, and met with officials of the PRC. Another question from Mr. Lantos: Did he publish a book in the PRC? Answer: Yes. It was brought out that Henry Liu had not visited Taiwan in 16 years and was not afraid in the U.S. that anything might happen to him. Mr. Torricelli, who had arrived late in the meeting, asked whether Mr. Liu had been compensated for his writings by any foreign government. Answer: No, supported himself by family business.

At approximately 4:15 p.m., and following the conclusion of Mrs. Liu's testimony, Mr. Solarz announced that the Subcommittee would now take up his Substitute for the Amendment to H. Res. 49 offered by Mr. Solomon. (It appeared Mr. Solarz had overlooked the fact that Mr. Glennon, the fourth witness, had not yet testified. The Subcommittee spent about twenty minutes on re-working the Substitute Amendment.

Mr. Leach then suggested the Subcommittee adjourn due to the lateness of the hour. Mr. Solarz agreed, but it was at this point it was brought to his attention that Mr. Glennon was still waiting to appear as a witness. (At this point, however, Messrs. Lantos, Leach, Torricelli, Roth and Solomon left the hearing room. Messrs. Lantos and Solomon returned at the conclusion of Mr. Glennon's statement.)

Mr. Glennon thanked the Committee for inviting him to appear and read his prepared statement (a copy of which is attached), in which he alleged that foreign intelligence agencies--including those of Taiwan--have conducted extensive harassment, intimidation, and surveillance of U.S. residents; that the U.S. intelligence community has known for some time that these acts have been taking place. Pro forma protests made, but liaison relationships continue. That if the Subcommittee "is serious about getting to the bottom of this, then it must look carefully and purposefully at the whole gamut of relevant liaison relationships." He proposed, inter alia, that the Administration "impose a prohibition against direct and indirect participation in and encouragement of activities that our own agencies are forbidden to conduct" and "would 'task' the CIA, FBI and NSA to gather intelligence actively about those foreign agencies reasonably believed to be engaged in acts of harassment, intimidation, or surveillance within the United States."

At the conclusion of Mr. Glennon's remarks, Mr. Solarz commented that he, Mr. Glennon, had provided some "interesting thoughts on the subject and that the Subcommittee would carefully consider them." He then asked Mr. Glennon, considering his experience in following the course of foreign intelligence activities and based on the knowledge available to him, did he think the situation has changed. Mr. Glennon said although he left the SFRC staff five years ago it is his impression of the situation that the present situation has not changed a lot. When asked what countries he thought the Subcommittee should look at, Mr. Glennon responded, "Again, I am not revealing classified information, I think the countries would be Taiwan, Yugoslavia and, to an extent, the Philippines. I might say the Library of Congress, the Congressional Research Service, retains a clipping service on this subject that could be very useful. You should ask them to compile the clippings--to determine what countries should be targeted."

Mr. Solarz then asked what the Subcommittee should do "if the Administration genuinely believes it does not have evidence to justify this conclusion. There is a difference, he said, between allegations and proof--particularly if (the Administration) believes the foreign government is initiating standards--in order to justify implementation of penalties. They do not have conclusive evidence that there is a consistent pattern of harassment...." Mr. Glennon suggested that Executive Branch representatives should be called before the Subcommittee to show there is no conclusive evidence. Mr. Solarz said the FBI--in their view--there is no foreign intelligence activity that can be characterized as systematic harassment or intimidation. If they did, would there be any justification for the legislation you suggest? To which Mr. Glennon responded that he thought the Congress can itself come to that conclusion "if you take the conclusion reached by the Administration--this Subcommittee itself can look to see whether it supports the conclusion."

Mr. Solarz suggested that as a practical matter, it would be almost impossible to persuade the Congress they (the foreign intelligence agencies) are engaging in such a pattern if the intelligence agencies say they have no evidence to that effect. "We have to rely on their judgment." Mr. Glennon commented, "in that case the approach is a dead-end stone."

Mr. Solarz asked "Do the intelligence agencies allocate resources to determine if foreign intelligence services are involved? Mr. Glennon said that he could not go into the subject in open session.

At this point, Mr. Solomon submitted for the record an article printed in the Wall Street Journal on December 26, 1984, which was relevant to the matter at hand.

Mr. Solarz concluded by saying to Mr. Glennon that he made some serious suggestions which the Subcommittee would take a close look at and take up with leaders in the Government.

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Attachments

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Wall Street Journal - 26 December 1984

Protecting the Refuge

Zhang Zheng-gao, a 46-year-old Chinese engineer, jumped from an upper floor of Peking's mission in New York last April, winning asylum at the cost of a broken ankle. With help from local Chinese businessmen, he settled in an apartment in Brooklyn and bought a 19-inch color TV set and a cassette player. But in mid-July, Mr.

Zhang vanished.

Within several days, he was reported back in Peking, where the government stated he had returned voluntarily. The State Department accepts this claim, noting that he seems to be back at his old job, but other investigators believe Mr. Zhang was kidnapped as a warning to Chinese athletes then arriving at the Los Angeles Olympics.

The case of Zhang Zheng-gao, for all its ambiguity, makes us think seriously about several other mysteries. Two weeks ago another Chinese engineer named Zhang Xin (no apparent relation) tried to seek asylum while his government mission changed planes at Kennedy Airport. After a day in New York, he somehow wound up at the Chinese consulate in midtown and was found on its roof hanged the next morning. The New York Medical Examiner has issued a preliminary finding of suicide.

A similar mystery involves Peking's capitalist rival, the Republic of China on Taiwan. A Chinese-American writer named Henry Liu, 52, was murdered at his Daly City home south of San Francisco on Oct. 15. Police have named three Chinese suspects, said to be members of the Bamboo Gang, a large Taiwan-based underworld

group. Two were arrested in Taiwan and are said to have confessed, but Daly City police complain Taiwan hasn't been giving the information needed for indictments. Friends of Mr. Liu accuse higher-ups in Taiwan of arranging the killing to silence his embarrassing writings about the regime.

None of these cases is subject to the kind of proof that would stand up in court, which is part of the problem with incidents of this genre. Yet there can be little doubt that foreign governments sometimes do dirty tricks on U.S. soil. Similarly suspicious incidents have implicated the Philippines, the Soviet Union and Cuba, among others. And it is not always clear that U.S. authorities are doing everything they can to discourage such activity. There is a predisposition to give such episodes low priority, particularly if diplomatic repercussions might result from a tough stand.

Yet such escapades are an affront to both public order and the U.S. reputation as a haven of freedom; they ought to be taken seriously, especially by an administration that professes devotion to law and order. We especially need to learn whether agents capable of the suspected deed still are operating in the U.S. The place to start is with a strong effort to unravel the disappearance of Zhang Zheng-gao, the suicide of Zhang Xin and the murder of Mr. Liu. Without prejudging any of the cases, serious investigations would give would-be foreign intimidators the message that the U.S. really is a refuge for the ideals of freedom.

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OPENING STATEMENT
CONGRESSMAN STEPHEN J. SOLARZ
HOUSE SUBCOMMITTEE ON ASIAN AFFAIRS HEARING ON
THE MURDER OF HENRY LIU

HENRY LIU WAS AN AMERICAN CITIZEN OF CHINESE ANCESTRY. HE WAS AN JOURNALIST WHO WROTE ON THE POLITICS OF TAIWAN, WHERE HE LIVED FOR ALMOST TWENTY YEARS AFTER 1949. IN HIS WORK, HE MARRIED THE PRINCIPLES OF AMERICAN INVESTIGATIVE REPORTING TO A CHARACTERISTICALLY CHINESE FOCUS ON THE MORALITY OF PUBLIC OFFICIALS.

ONE MIGHT QUARREL WITH WHAT HENRY LIU HAD TO SAY, BUT NO-ONE CAN DISPUTE THE FACT THAT HIS RIGHT TO WRITE AS HE WISHED WAS PROTECTED BY THE AMERICAN CONSTITUTION. APPARENTLY HIS FREEDOM OF SPEECH WAS NOT PROTECTED ENOUGH, FOR HENRY LIU WAS FOUND SHOT TO DEATH ON THE MORNING OF OCTOBER 15TH, IN HIS GARAGE IN DALY CITY, CALIFORNIA.

THE SUBSEQUENT INVESTIGATION REVEALED THAT THE CRIME ITSELF WAS PLANNED AND CARRIED OUT BY MEMBERS OF A TAIWAN CRIMINAL ASSOCIATION-- KNOWN AS THE BAMBOO GANG. TWO THE GANG MEMBERS HAVE CHARGED WITH MURDER BY THE STATE OF CALIFORNIA. EVEN MORE STARLTLING WAS THE JANUARY 15 ANNOUNCEMENT BY THE TAIWAN GOVERNMENT THAT THREE OFFICIALS IN ITS MILITARY INTELLIGENCE BUREAU WERE INVOLVED IN THE KILLING AND APPARENTLY RESPONSIBILE FOR RECRUITING THE ASSASSINS FOR THIS REPREHENSIBLE ASSIGNMENT. HOW EXACTLY THEY WERE INVOLVED IS NOT PUBLICLY CLEAR, BUT IT WAS SUFFICIENTLY GRAVE TO LEAD TO TAIPEI'S ANNOUNCEMENT AND TO THE ARREST OF THE THREE OFFICIALS.

I CANNOT EXAGGERATE THE SENSE OF OUTRAGE WHICH THE REPORTED INVOLVEMENT OF OFFICIALS OF THE TAIWAN GOVERNMENT IN THE MURDER OF AN AMERICAN CITIZEN ON AMERICAN SOIL PROVOKES IN ME. THE GENIUS OF THE AMERICAN SYSTEM OF GOVERNMENT IS THAT IT OFFERS BROAD OPPORTUNITIES FOR PEOPLE POLITICALLY TO THINK, SPEAK, AND ACT AS THEY WISH. IT SHOULD NOT OFFER ANY OPPORTUNITY WHATSOEVER TO FOREIGN GOVERNMENTS TO PUNISH CRITICS OF THEIR REGIMES WHO RESIDE IN THE UNITED STATES.

I KNOW THAT THERE MAY BE SOME DISAGREEMENT AMONG MEMBERS OF THE COMMITTEE AND IN THE CONGRESS OVER WHETHER THE UNITED STATES SHOULD PUT PRESSURE REPRESSIVE REGIMES ABROAD TO RESPECT THE HUMAN RIGHTS OF PEOPLE IN THEIR OWN TERRITORY. BUT I AM SURE WE ALL AGREE THAT THE TERRITORY OF THE UNITED STATES SHOULD NOT BE ALLOWED TO BECOME A HUNTING GROUND FOR FOREIGN GOVERNMENTS WISHING TO STIFLE DISSENT.

PART OF MY OUTRAGE STEMS FROM THE KNOWLEDGE THAT THIS IS NOT THE FIRST TIME THAT TAIWAN HAS ABUSED THE FREEDOMS OF INDIVIDUALS IN THE UNITED STATES. IN THE PAST, THERE HAVE BEEN NUMEROUS CREDIBLE CHARGES OF SURVEILLANCE, INTIMIDATION, AND HARASSMENT IN THE UNITED STATES BY AGENTS OF TAIWAN'S INTELLIGENCE SERVICES, PARTICULARLY WITH RESPECT TO TAIWANESE STUDENTS IN OUR COUNTRY.

THREE AND A HALF YEARS AGO, PROFESSOR CHEN WEN-CHENG, A TAIWANESE PERMANENT RESIDENT ON THE FACULTY OF CARNEGIE MELLON UNIVERSITY, WAS DETAINED, INTERROGATED, AND KILLED WHILE IN TAIWAN. MEMBERS OF THE

FOREIGN AFFAIRS COMMITTEE WILL REMEMBER THAT HEARINGS OF THIS SUBCOMMITTEE REVEALED THAT PROFESSOR CHEN WAS TARGETED FOR THIS TREATMENT BECAUSE HE HAD BEEN SPIED UPON AT PUBLIC MEETINGS IN THE UNITED STATES. AS A RESULT OF THE CHEN CASE, CONGRESSMAN LEACH AND I SECURED PASSAGE OF AN AMENDMENT TO THE ARMS EXPORT CONTROL ACT WHICH FORBIDS THE SALE OF ARMS TO COUNTRIES WHICH THE PRESIDENT DETERMINES HAVE ENGAGED IN A CONSISTENT PATTERN OF ACTS OF INTIMIDATION OR HARASSMENT AGAINST INDIVIDUALS IN THE UNITED STATES.

THIS MOST RECENT EPISODE RAISES A NUMBER OF SERIOUS QUESTIONS FOR THE CONGRESS AND THE AMERICAN PEOPLE.

FIRST OF ALL, HAVE THE RELEVANT AGENCIES OF THE EXECUTIVE BRANCH ACTED PROPERLY IN TRYING TO SECURE JUSTICE FOR HENRY LIU, BY MOUNTING A VIGOROUS INVESTIGATION AND TAKING APPROPRIATE DIPLOMATIC STEPS?

SECOND, IS THE MURDER OF HENRY LIU AN ISOLATED INCIDENT OR IS ONLY THE MOST VISIBLE MANIFESTATION OF A CONSISTENT PATTERN OF ACTS OF INTIMIDATION OR HARASSMENT?

THIRD, IS THE EXISTING LEGAL FRAMEWORK FOR RESTRICTING ILLEGITIMATE FOREIGN AGENT ACTIVITY STRONG ENOUGH? OR IS NEW LEGISLATION REQUIRED TO BETTER PROTECT THE RIGHTS OF PEOPLE WITHIN THE TERRITORIAL BOUNDARIES OF THE UNITED STATES?

THIS HEARING IS THE BEGINNING OF A PROCESS THROUGH WHICH THIS SUBCOMMITTEE WILL SEEK FULL ANSWERS TO THESE QUESTIONS. CONTRIBUTING TO OUR UNDERSTANDING TODAY ARE FOUR DISTINGUISHED WITNESSES:

--THE HONORABLE NORMAN Y. MINETA, A MEMBER OF COGNRESS FROM THE STATE OF CALIFORNIA. WITHIN THE HOUSE OF REPRESENTATIVES, CONGRESSMAN MINETA IS THE MOST SENIOR MEMBER OF ASIAN ANCESTRY, SO IT IS HIGHLY APPROPRIATE THAT HE TESTIFY TODAY.

--THE HONORABLE WILLIAM BROWN, DEPUTY ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS.

--MRS. HELENA LIU. FOR MYSELF, AND I AM SURE FOR OTHER MEMBERS OF THE FOREIGN AFFAIRS COMMITTEE, I WOULD LIKE TO PAY A SPECIAL TRIBUTE TO MRS. LIU FOR HER WILLINGNESS TO APPEAR TODAY AND SPEAK ON A SUBJECT WHICH I AM SURE STILL CAUSES DEEP EMOTIONAL ANGUISH.

--PROFESSOR MICHAEL GLENNON, OF THE UNIVERSITY OF CINCINNATI LAW SCHOOL. FROM 1977 TO 1980 PROFESSOR GLENNON WAS LEGAL COUNSEL FOR THE SENATE FOREIGN RELATIONS COMMITTEE. AMONG THE SUBJECTS ON WHICH HE SPECIALIZED WAS FOREIGN AGENT ACTIVITY IN THE UNITED STATES.

AFTER THE WITNESSES HAVE PRESENTED THEIR TESTIMONY AND MEMBERS HAVE HAD AN OPPORTUNITY TO POSE QUESTIONS, THE SUBCOMMITTEE WILL PROCEDE TO CONSIDER AND MARKUP HOUSE CONCURRENT RESOLUTION 49, WHICH EXPRESSES THE SENSE OF THE CONGRESS THAT THE TAIWAN AUTHORITIES SHOULD COOPERATE FULLY IN THE CASE OF HENRY LIU BY DELIVERING TO THE UNITED STATES FOR TRIAL THOSE CITIZENS OF TAIWAN CHARGED BY AUTHORITIES IN THE UNITED STATES IN CONNECTION WITH THE MURDER.

TESTIMONY OF

MICHAEL J. GLENNON

before the

SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS

COMMITTEE ON FOREIGN AFFAIRS

UNITED STATES HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.

FEBRUARY 7, 1985

TESTIMONY OF MICHAEL J. GLENNON

Mr. Chairman and Members of the Subcommittee:

Let me begin by thanking the Subcommittee for inviting me to be here today, and by commending the Subcommittee for its interest in the acute and recurring problem of harassment, intimidation, and surveillance of residents of the United States by agents of the intelligence services of foreign countries.

I participated in a study of that subject in the late 1970's while I was legal counsel to the Senate Foreign Relations Committee. Obviously I am unable to engage in any specific discussion of its contents here today. There is, however, a vast amount of information on the public record concerning this subject. The following testimony responds to specific questions put to me by the Subcommittee. It is largely a synopsis of an article I wrote that appeared last year in the Harvard International Law Journal. (The article is entitled "Liaison and the Law: Foreign Intelligence Agencies' Activities in the United States," and appears at 25 Harv. Int. L. J. 1 [Winter, 1984].) That article sets forth my thoughts in greater detail and also includes extensive citations to the public record. With the Chairman's permission, I would ask that that article appear at the conclusion of my remarks.

A. THE DIMENSIONS OF THE PROBLEM

Mr. Chairman, foreign intelligence agencies -- including those of Taiwan -- have conducted extensive harassment, intimidation, and surveillance of United States residents here on Amer-

ican soil. Typically, these activities are supervised by case officers operating under diplomatic cover, although some may pose as students, businessmen, or tourists. The case officers direct agents, who are "tasked" to carry out specific intelligence missions. The most frequent is surveillance, including the infiltration of groups thought to be inimical to the foreign regime, attendance at demonstrations, and similar activities directed at identifying critics of the regime. Another frequent mission is the disruption of anti-regime activities, such as speeches, demonstrations, and organizational planning.

Once the critics are identified, several things may occur. They may be threatened or assaulted. Relatives in their homeland may be harmed. Upon returning home, the critic may be imprisoned, possibly tortured. On rare occasions, he or she may be murdered here in this country.

B. THE EXISTING STATUTORY FRAMEWORK

Certain of these activities have violated three federal statutes that require the registration of foreign agents. Principal among them is the Foreign Agents Registration Act, 22 U.S.C. 611-621, which requires a person who, within the United States . . . solicits, collects, disburses, or dispenses contributions, loans, money or other things of value for or in the interest of [a] foreign principal . . . to register with the Attorney General." In addition, the so-called Notification Act, 18 U.S.C. 951, requires that non-diplomats who act within the United States as agents of a foreign government register with the Secretary of State. A third provision, 50 U.S.C. 851, requires

that certain persons who have received instructions in espionage or counterespionage register with the Attorney General. While diplomats are excepted from the requirements of each statute by their terms, persons acting on their behalf are not.

Furthermore, some of these activities appear to have violated one of the civil rights acts, 18 U.S.C. 242, which imposes criminal penalties for willfully depriving any inhabitant of the United States of his or her constitutional rights. (Resident aliens stand on essentially the same footing as citizens under the Bill of Rights.)

The United States intelligence community has known for some time that these acts have been taking place. It has made occasional protests, but these appear to have been pro forma. Notwithstanding specific knowledge of these acts, it has in some cases continued to conduct liaison relationships with the agency in question. These relationships have embraced, among other things, training programs, information-sharing, and organizational support. In some instances that support has continued. Let us be clear: the United States intelligence community has continued to advise and train some of the same foreign services that have used their newly-acquired skills to violate United States law. And United States intelligence agencies have in some instances made no real effort to ensure that the skills they have imparted are not used in the United States against residents of our country.

Mr. Chairman, I do not suggest any impropriety in liaison relationships between the United States intelligence community and foreign agencies that respect the constitutional rights of

United States residents. These relationships provide executive decision-makers with extraordinarily useful information, information not otherwise available. Our national security is materially advanced as a result.

I do suggest, however, that indifference can become acquiescence; acquiescence, consent; and consent, criminal liability as well as moral responsibility. If the United States intelligence community has not crossed that final line, it has come perilously close. And if this Subcommittee -- or any congressional committee -- is serious about getting to the bottom things, it must look carefully and purposefully at the whole gamut of relevant liaison relationships.

C. WEAKNESSES IN THE EXISTING STATUTORY FRAMEWORK

So much for the existing statutory framework. The weaknesses in that framework are evident. The registration statutes are overbroad. The Executive lacks the will to enforce them, for reasons I will discuss in a moment. And two proof problems exist: either the foreign agent must register himself, which is unlikely, or the United States intelligence community must furnish the information needed to prosecute, which could compromise sensitive intelligence sources.

Similar proof problems arise in connection with the civil rights statutes. Moreover, at least with regard to the case officers (as opposed to the agents), diplomatic immunity provides a shield.

I think the "Solarz Amendment" of 1981 was a step in the right direction, but it now appears that the Amendment has had

little effect; experience with it suggests why. First, the cut-off is optional. Arms sales are terminated only in the event the President makes the determination in question, but the Amendment does not require that he make that determination. Second, some nations engaged in these activities do not buy arms from the United States, or they can obtain the arms elsewhere. Restricting the penalty to a cut-off only in arms sales renders the statutory penalty meaningless in those situations. Third, the Amendment refers only to a "consistent pattern of harassment or intimidation," but it makes no reference to surveillance. Most offending foreign countries normally apply sanctions in their own territory -- they wait for the dissident to return home before "countering" him. Here the Amendment is irrelevant.

D. INSTITUTIONAL AND POLITICAL IMPEDIMENTS
TO EFFECTIVE LAW ENFORCEMENT

A variety of political and institutional factors further impede the effective enforcement of these statutes. These become clear as the role of each executive branch actor is reviewed.

The Federal Bureau of Investigation is of course the agency primarily responsible for federal law enforcement. The Bureau has in the past made affirmative efforts to gather information only about those foreign intelligence agencies whose activities in the United States directly implicate U.S. national security. For the most part these have been the agencies of communist countries. In operational terms, this has meant that the FBI has known a great deal about the intelligence activities of countries operating against the United States government -- agencies en-

gaged in classic espionage. But it also has meant that the Bureau has known virtually nothing about most agencies operating against private persons -- agencies that conduct harassment, intimidation, or surveillance of dissidents engaged in constitutionally protected activities.

Now, one can agree or disagree with the Bureau's allocation of counterintelligence resources. My own opinion is that some measure of differentiation is appropriate. But it seems clear that the amount of resources devoted to the investigation of "friendly" foreign intelligence services by the FBI has been disproportionately small in relation to the substantial systemic harm caused by their activities. This, I think, is the first institutional impediment: passivity on the part of the FBI.

Assume, in any event, that the Bureau does obtain evidence of a specific federal offense by a foreign intelligence agency. Two principal remedies are available. If the violator is a case officer clothed in diplomatic immunity, he can be expelled. If the violator is an agent without diplomatic immunity, he can be prosecuted. Unfortunately, as a practical matter, further institutional impediments limit the availability of either remedy.

First, the Central Intelligence Agency has a strong incentive to oppose either action. In many instances intelligence agencies know the identities of each other's personnel, and any steps taken against foreign intelligence operatives in the United States can result in retaliatory action against CIA officers stationed abroad. Moreover, prosecution can risk the disclosure of sensitive intelligence sources and methods, since the question

always arises as to how the government knows the defendant is a foreign agent.

Second, relevant State Department officials too often are loathe to see any steps taken which will disrupt an otherwise smooth-running bilateral relationship. Conflict-avoidance mechanisms seem highly evolved in the diplomatic personality; by training and inclination, career foreign service officers -- to their credit -- are experts in maximizing harmony and minimizing discord. Yet that proclivity can impede a swift and firm response to actions inconsistent with diplomatic norms. Perhaps more important, it can also operate to cut short at the outset counterintelligence efforts by the FBI. And without relevant information, the propriety of either remedy obviously becomes moot.

E. METHODS OF STRENGTHENING INSTITUTIONAL MECHANISMS

What is to be done? At the risk of sounding simplistic, I must tell you that it seems clear to me that this problem can be resolved swiftly and permanently, without further legislation, if the requisite will were mustered at the highest levels of the executive branch. That will would direct the following:

First, United States intelligence and law enforcement agencies would be prohibited from encouraging foreign intelligence agencies to engage in illegal activities in the United States. For reasons that are not clear, the executive order promulgated by President Reagan (E.O. 12,333; 46 Fed. Reg. 59,941 [1981]) dropped this prohibition; it provides simply that "[n]o agency of the Intelligence Community shall participate in or request any

person to undertake activities forbidden by this Order." In contrast, the previous executive order governing domestic intelligence operations (E.O. 12,036; 43 Fed. Reg. 3674 [1978]) provided that "[n]o agency of the Intelligence Community shall request or otherwise encourage, directly or indirectly, any person, organization, or government agency to undertake activities forbidden by this Order or by applicable law." [Emphasis added.] Obviously the previous order was much tighter. If the Administration is serious about bringing these unlawful activities to a halt, it must impose a prohibition against direct and indirect participation in and encouragement of activities that our own agencies are forbidden to conduct.

Second, if the Executive found the requisite will to resolve the problem, it would task the CIA, FBI, and NSA to gather intelligence actively about those foreign agencies reasonably believed to be engaged in acts of harassment, intimidation, or surveillance within the United States.

Third, foreign intelligence agencies would be placed on notice that the harassment, intimidation or surveillance of United States residents will henceforth be regarded as a breach of diplomatic norms, and that every foreign diplomat who thus acts beyond the scope of his diplomatic immunity will promptly be expelled. In response to concerns about retaliatory expulsions of CIA personnel, I would simply say that I am aware of no evidence that the Agency engages in the kinds of activities abroad that have raised legitimate concerns about foreign intelligence agencies' activities in the United States. The application of reciprocal diplomatic norms by foreign governments would

not, therefore, undercut United States intelligence activities carried out in foreign countries.

Finally, the State Department, in formulating policy towards foreign countries, would be instructed (a) to learn from the United States intelligence community precisely what foreign intelligence services are doing in this country; and (b) to take into account the extent to which those services engage in acts of harassment, intimidation, or surveillance directed at United States residents. Many of these foreign governments are human rights violators. It may be that we cannot affect the way they treat people in their own countries. But surely the United States government can affect the way they treat people here in our own country.

F. METHODS OF STRENGTHENING THE STATUTORY FRAMEWORK

Mr. Chairman, I am not optimistic that the necessary administrative steps will be taken. I must say that I am frankly bewildered at the Administration's inaction. The issue is, in the end, a law-and-order issue; there would seem few more squarely conservative objectives than that of protecting the exercise of constitutional rights from violation by foreign thugs. Nonetheless, it seems unlikely that the Executive will take the initiative, and in the absence of an effective administrative response, any solution will have to come from the Congress. I should like at this point to outline briefly the principal legislative remedies that I believe might be appropriate.

First, the Solarz Amendment might be strengthened by requiring the President to transmit a written determination to Congress

with respect to any country that engages in the pattern of activities now described in the Amendment. This would effectively mandate a cut-off of arms sales to that country. The amendment might be further strengthened by including in the cut-off other forms of assistance, such as military and economic aid.

Second, the burden might be shifted to the Executive by providing that the cut-off will take effect unless the President determines that such a pattern of activities has not occurred. It would of course be necessary, under this procedure, to specify the country in question; given the substantial, unrebutted evidence that the activities of Taiwan intelligence services now fall within the statutory formula, it would seem appropriate that Taiwan be so specified.

Third, a statutory requirement that the President expel foreign diplomats who violate diplomatic norms would, I think, raise constitutional problems. The conduct of diplomatic relations is generally thought to be a plenary power of the President. In addition, because immunity is conferred by treaty (and possibly by customary international law as well), any statutory attempt at retrenchment could seriously complicate the conduct of United States diplomacy.

On the other hand, as members of this Subcommittee are well aware, Taiwan is not recognized by the United States, and the United States does not carry on diplomatic relations with Taiwan. Personnel affiliated with Taiwan's Coordination Council for North American Affairs (CCNAA) do enjoy "privileges and immunities" of a sort, but this is different from the immunity accorded diplo-

not, therefore, undercut United States intelligence activities carried out in foreign countries.

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mats of recognized countries. The scope of CCNAA immunity is narrower, and more important for present purposes, it is conferred by the President pursuant to statutory authorization. The Taiwan Relations Act (in section 10; 22 U.S.C. 3309(c)) authorizes the President to extend privileges and immunities to the CCNAA on a reciprocal basis. That statutory provision can be modified: there is no requirement in international law that this immunity be extended, and there is no constitutional inhibition against its limitation by Congress. It would be entirely appropriate for Congress to repeal this provision of the Taiwan Relations Act; it would also be entirely appropriate for Congress to amend the provision so as to confer immunity conditionally. This Subcommittee may wish to consider, for example, engrafting the approach of the Solarz Amendment onto the Taiwan Relations Act: the Act might be amended to authorize the President to extend appropriate privileges and immunities to the CCNAA only after he has transmitted to the Congress his determination that the authorities on Taiwan are not engaged in a pattern of harassment, intimidation, or surveillance of persons in the United States. This approach would seem to have the benefit of relating the remedy more directly to the wrong.

Fourth, and finally, the Subcommittee may wish to consider a broader remedy, analogous to the "country reports" required by the human rights legislation (sections 116(d)(1) and 502b(b) of the Foreign Assistance Act of 1961). The executive branch might be required to report annually to Congress concerning every country engaged in a pattern of harassment, intimidation, or surveillance in the United States. Such reports would provide

hard information on matters now beset with rumor and speculation. Private entities that deal with these countries, such as colleges and universities, would then have a reliable factual foundation on which to base individual or collective pressure to halt their misconduct.

G. CONCLUSION

Mr. Chairman, at one level, the most painful level, the problem we have been discussing today is the problem of relatively few individuals: Henry Liu, Wen-chen Chen, their widows, their children, their families, and other emigres who dare to speak out against oppression and who have nowhere to turn but to you -- the United States Government -- when the forces of oppression seek to silence them.

On another level, however, the problem affects all Americans. For every resident of the United States is constitutionally accorded the rights of free speech, free association, and free assembly. If these rights are abridged by a foreign secret police force, it is not simply the individual "target" who is their victim -- it is our entire body politic.

For information is the lifeblood of our democracy. Our system assumes a marketplace of ideas. My liberty depends upon your rights -- to free speech, free association, free assembly -- as much as it depends upon my own. Our democracy works only if each person can learn all he needs to know to develop informed opinions and to cast intelligent votes. We need to hear what these emigres have to say. They have important messages on the terror of authoritarianism. We need to be reminded what tyranny

is all about.

So when a foreign secret police force strikes out at these brave men on American soil, it strikes at the very heart of our political system.

The murder of Henry Liu represents an attack, Mr. Chairman -- some might say a terrorist attack -- on our country and on the most precious ideals for which it stands. I hope that the Congress responds accordingly.

THE COMMITTEE TO OBTAIN JUSTICE FOR HENRY LIU

Statement of Mrs. Helen Liu to the Subcommittee on
Asian and Pacific Affairs of the Committee on
Foreign Affairs of the U.S. House of Representatives,

Thursday, February 7, 1985

I am grateful and honored to be asked to come here today to testify before the United States Congress regarding my husband, Henry Liu, and to relate to you, and to the American People some of the history of my husband's life, what he believed in, and what he wrote about. My husband and I lived here, in Washington, D.C. together for over ten years, from 1967 to 1978, and Henry and I made many friends here during those years. Yet though we made many friends and acquaintances in government life, we never thought that someday I would be testifying as a witness here in the Congress, and we certainly never could have anticipated what tragic circumstances would bring me here.

First, I want to state that I am also here as a representative of The Committee to Obtain Justice for Henry Liu which was organized spontaneously by many of Henry's friends and fellow journalists right after his death on October 15th, 1984. The Chairman of our Committee, Prof. Ling-Chi Wang, and our attorney, Jerome M. Garchik, are with me here today also on behalf of our Committee. Our Committee has members now all across the United States, and it includes many prominent journalists, intellectuals and community leaders, some of whom did not know my husband personally, but only knew and respected his work. Our Committee is not a political committee, but rather is a humanitarian and civil rights group. The members and supporters hold all different political viewpoints on issues of American and Chinese questions, but they all share the same sense of

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outrage and loss at the death of my husband, as well as the same feelings of fear that his murder caused among Chinese people of good will everywhere.

I believe that my husband was murdered on the orders of high government officials of the Republic of China(Taiwan), and that he was killed by them for a threefold purpose:

1) To punish him for writing about the rulin^z Chiang family;
2) To prevent him from writing books and articles in the future about the Chiang family, and their political and family history; and 3) To scare other journalists and writers who might also be interested as Henry was in writing about this family and its history. My belief that this is why he was killed is based on the following evidence, including the repeated efforts of Taiwanese officials to bribe Henry not to publish his book on President Chiang Ching-kuo, the sworn confession of one of my husband's killers, Wu Tun, and on the continuing efforts of the Taiwan Government to harm my husband's reputation as a writer, now that he is dead, and to cover-up all of the true facts about who in the Taiwan Government ordered his murder and why.

Who Was Henry Liu ?

Everyone who met my husband knew him to be an especially talented and resourceful journalist. He was born on December 7, 1932 in Jingjiang, Jiangsu, and grew up amidst the turmoil and chaos of war and revolution. When he was ~~nine~~ years old, his father fell victim to a Communist shooting. He was drafted into the Nationalist(Kuomintang) Army when he was 16, and was evacuated to Taiwan in 1949. During the 1950's he continued his education, and attended a Defense Ministry School for political cadres, run by Chiang Ching-kuo, son of President Chiang Kai-shek. There, he met Chiang Kai-shek's other son, General Chiang Wei-kuo, and General Wang Sheng.

My husband, however, didn't like a military career, and wanted to be a journalist. First, he worked for a Government radio program. Later, he became a reporter for the Taiwan

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Daily News, which was published by Mr. Hsia Hsiao-hua who became a mentor to Henry and helped his career along. I met Henry in 1962 when he had that job. Henry attended university courses at night at National Chengchi University where I also was a student. After the Taiwan Daily News sent him to cover a story in Hongkong, Henry wrote a book about the island that was published in Taipei. The newspaper later sent him to report on Manila, and on the Vietnam War. Henry wrote his second book on the Vietnam War and Southeast Asia, which was also published in Taiwan.

Henry and I were married in 1967, and we moved to Washington, D.C. when Henry was appointed correspondent for his newspaper. In addition to writing for the paper, Henry took courses at American University Graduate School, for a Masters Degree, and he worked as a part-time interpreter/escort for the State Department. Henry stopped writing for the Taiwan Daily News in 1973, and we both became U.S. Citizens in 1973.

Beginning at about that time, Henry wrote and published at least 25 articles, essays and books on the ruling Chiang family, its social and political history, and about several political leaders closely associated with them over the years. I have attached a bibliography of Henry's work during this time. His articles were about Chiang Kai-shek, Mrs. Chiang Kai-shek, Chiang Ching-kuo, Governor K.C.Wu (the former mayor of Shanghai) & General Wang Sheng. When he died, Henry was working on a biography of former Yunnan Province Governor Long Yun, and had plans to write a full biography of the political career of Governor Wu. In fact, Henry had just signed a contract with the Wu family giving him exclusive access to their extensive archives, shortly before he was killed on October 15th, and some people feel that it was official fear of this book that prompted Taiwan to order Henry murdered.

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Taiwan Censors Henry Liu

Henry began writing articles about the Chiang family in the early 1970's as part of his graduate study work, and he arranged for publication of some of this work in several Hongkong magazines. Around that time he received a letter from General Wang Sheng, the powerful head of Taiwanese ~~Security Bureau~~, who told Henry to "take heed" of three things before he published his biography of Chiang Ching-kuo. He was told to consult with as many people as possible before publishing, to think of what was good for Taiwan, and should "move cautiously, and think twice," before publishing such a book. As reported in a recently published letter Henry wrote to a friend in Hongkong, ~~which we have translated and attached to this statement~~, Henry wrote General Wang back bluntly telling him: "I'm living in America and I am independent. No one could tell me what I should write about!" This correspondence with General Wang Sheng was in 1973.

Two years later, General Chiang Kai-shek died, and his son Chiang Ching-kuo became ~~KMT Chairman~~. Henry published three articles on Chiang Ching-kuo in Hongkong that year. These were collected and published in book form in Hongkong. In 1980, the book was translated without Henry's permission into Japanese and published there.

The 1975 book covered the life of Chiang Ching-kuo only through about 1949, and Henry was determined to bring it up to date. He would also publish chapters or installments in various magazines as they were completed, and hoped to base his PhD. thesis at American University in Political Science on this work.

Of course, the Taiwan Government was aware of Henry's plans, since he did not keep any of it secret. In 1977 when we still lived in Washington, D.C., Henry was approached by Admiral Wang Shih-ling, who was then the military atache at the Taiwanese Government Offices in Washington. Admiral ~~Wang Shih-ling, head of military intelligence~~

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Wang [redacted] has since been dismissed, and arrested in Taipei because of his involvement with Henry's death. In 1977, Admiral Wang told my husband that he could write about whatever he wanted to write about, but "not about the Chiang family." Henry rebuffed him, and told him that this was in fact "the only thing" he wanted to write about. Henry also wrote to his friend in Hongkong about this conversation, and I also attach a translation of that letter to this statement.

These warnings were not the only attempts to interfere with Henry's work during the next few years. Henry told of rumours that he would be paid \$1 million if he would not write his book on C.K.Chiang. Our friend, Van Lung said recently that the Taiwanese had actually offered Henry \$40,000 to drop his plans to publish the book. A number of money offers and approaches were made to Henry's publisher, the American Tribune(Los Angeles) to get them to back off plans to print the book.

Henry and his publisher bravely rejected all of these censorship attempts, and continued with their plans. However, I believe that Henry was concerned about the reaction of the Chiang family to his book and made several efforts to show that he did not carry any personal antagonism towards them. For example, when Henry went to China in 1981 for reasearch on his book, he took photos of Hsi-k'ou where C.K.Chiang has lived as a boy, and Henry sent these to General Chiang Wei-kuo. Not long after, Henry received a letter from a friend of the General asking for the negatives of the [redacted] photos. So on his next trip to China,in 1982, Henry arranged with a Chinese film crew to take some films of the Chiang family's house there. These he also sent to the Chiang family, and received a letter of appreciation in return.

As arrangements for the publication of Henry's book neared

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completion, Henry was approached once again by the Taiwan Government regarding the book. This time, the approach was made by Henry's old friend and mentor, Hsia Hsiao-hua, the publisher of Taiwan Daily News. Mr. Hsia was himself a former military intelligence officer who still had close ties to that agency. He came to California in December, 1983, and told Henry he was there on behalf of ~~the [redacted] and~~ Admiral Ching Tzu-li, the Associate Director of Military Intelligence, under Admiral Wang Shih-ling. He made a personal appeal to Henry, based on their years of friendship and their mentor/protege relationship, asking Henry to drop a chapter from his book dealing with the family history of the Chiangs, and to tone down the book's criticism of Chiang rule on Taiwan. No money was offered at this time. In the face of this personal appeal, Henry was unable to refuse Mr. Hsia's request, because to do so would have been an insult and disrespectful under Chinese culture and tradition. So, Henry reluctantly agreed to Mr. Hsia's requests and modified the book in this way, because he felt that if he did this he could finally go ahead and safely publish the book, which really was his lifework.

Henry believed that this was the case because Mr. Hsia telephoned Henry from Taiwan in ~~February~~ 1984 and told him that ~~the~~ ^{Intelligence} Military were happy about the changes and would give Henry \$20,000, to be paid in installments, to show their gratitude. Of this money, Henry received \$17,000 before he died. Somehow, the F.B.I. found out about this and talked to Henry about it only a week before he was killed. Another strange fact is that just after Henry was killed, Mr. Hsia's friend in Military Intelligence, Adm. Ching Tzu-li was transferred out of that job, to a job Mr. Hsia formerly held as head of the Taiwanese propaganda radio station, Cheng Sheng (Rightous Sound) Broadcasting.

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Who Killed My Husband and Why?

In late November of last year, the F.B.I. identified four members of the United Bamboo Group, a large Mafia type organization, as the hit squad that murdered my husband. Last month, the Taiwan Government identified four high level officers of their own military intelligence agency as being involved in Henry's death. Since then, a number of Chinese language newspapers here, in Hongkong and in Taiwan have published reports identifying other high military and Kounintang officials as being involved in ordering Henry's murder.

I believe that my husband was killed by the Taiwan Government because he was not just another journalist or writer. Many people have compared Henry's work to that of William Shirer, Theodore White and Louis Fischer. Henry's work was widely published and read all throughout Asia, in China, Japan, Hongkong, and in Taiwan, despite repeated Government efforts to suppress it.

Just a few months before Henry was killed, the Taiwanese Government impounded and suppressed the entire printing of a Taiwanese monthly publication, China Tide Review, which reprinted Henry's interview with Governor K.C.Wu. After Henry was killed, the Government suspended this magazine for one year because it reported on Henry's death, and because it included excerpts from his book on Chiang Ching-kuo. The Government has also closed a weekly named Marching Forward which reported on the killing. Many Chinese Americans also believe that Taiwan officially interfered in the U.S. publication of China Times and closed that newspaper because it fairly reported on Henry's death. (See the ^{attached} copy of Henry's last letter, to Jack Anderson, which he wrote regarding Taiwan's interference with the editorial policy of China Times just before he was killed.)

Henry and I came to the United States because Henry could not live under the policy of fear, censorship , and suppression that prevails in Taiwan. Once he became a citizen, Henry believed

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he would be free to write what he wanted, as he wanted, and he told Taiwan's officials this on several occasions.

Henry had the courage to write about the official family of Taiwan when others did not. People who know China know the passion for secrecy that surrounds the Chiang family. Chiang Ching-kuo, who has been president of Taiwan for ~~over~~^{over} ~~xx~~ years, has not even had an official biography published about him, and Henry's book was the only reliable, documented, and accurate book. Certainly it was a controversial and critical book about Chiang Ching-kuo. For example, Henry wrote that Chiang Ching-kuo was a secret instigator of the May, 1957 burning of the U.S. Embassy in Taiwan, when a U.S. Army court-martial released an Army Sargeant charged with the murder of a Taiwanese national named Liu. This little remembered "May 24th incident," and C.K.Chiang's early Russian education, and pro-Soviet activities, do not reflect well upon Taiwan's President. Many people feel that Henry's planned full biography of Governor Wu would contain many more shocking and damaging revelations about President Chiang and his family.

In his soon to be released book, The Soong Dynasty published by Harper & Row, Sterling Seagrave has written about the attitude of the Chiang family towards journalists and biographical writing and his comments give some insight into why my husband was killed:

"It is characteristic of the Chinese, rich and poor to be reserved and private—even secretive. The Soongs were the most Westernized of all Chinese, but the appearance of openness and accessibility was merely an acquired manner, not a total transformation. Close associates could not penetrate this mask. Their public image was enhanced and propagated by a legion of publicists. The Chiang regime was known to have spent hundreds of millions of dollars each year in the 1940s, 1950s, and 1960s to guarantee its image in America and thus, the continuance of the regime. At the same time, the regime suppressed negative publicity; for example, a critical biography of Chiang Kai-shek

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written by one of his ex-wives was purchased by Taiwan authorities for a sum said to be in excess of \$1 million, and evidently was destroyed."

The Soong Dynasty (Harper & Row, 1985) page 10.

Attached is the Daly City Police Affidavit charging Wu Tun with my husband's murder, based on the police interrogation of Wu Tun in Taipei on January 24, 1985. In it Wu Tun confessed that Chen Chi-li, the hit squad leader, asked him to help "teach a lesson" to my husband, because Henry "had written some bad things about Taiwan and its president."

On January 31, 1985, a Taiwanese newspaper, "Fa-yang Weekly" reported that in September, Chen Chi-li agreed with Taiwanese officials to kill my husband after Admiral Wang Shih-ling mentioned Henry's new book, and said that "A guy like Henry would have been killed long ago if a Chief of Police like Dai Li were alive." This report and others confirm the several contacts between Chen Chi-li and several Taiwanese military intelligence officers, some of whom are now under arrest in Taiwan, and confirm Chen Chi-li would hide the true purpose of his trip to the U.S. by holding a big reception in Houston, Texas ostensibly for the purpose of honoring the U.S. publication of his gang's magazine, Mai Wah Reports. This reception, held at a Chinese restaurarnt in Houston on September 25th, was attended by Liu En-Ti, the Houston head of the Taiwan official office (C.C.N.A.), by Chang Ning-chih, the Houston based head of the official Taiwanese Press Bureau, and by Chang Hsueh-hai, the Secretary of the Committee of Overseas Chinese in Houston, also an official of the Taiwan Government.

The involvement of Government officials in my husband's murder is not subject to any question at this time. Nor is the true motive. The only questions remaining are whether all of the people involved will be identified, and whether all of these will really be punished for Henry's murder.

Is there a Political Cover-up of This Case?

I and the Committee fear that both Taiwan and the Reagan

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Administration will cover up the true story about my husband's murder for political reasons, and to protect the high officials who were really involved.

We have the following evidence of such a cover-up:

1. The refusal of Taiwan to extradite or deport all the persons arrested for involvement in my husband's murder;

2. The failure of the Reagan Administration to publicly denounce my husband's terrorist murder, or to insist upon the delivery over of the killers to U.S. Justice;

3. The continued suppression and concealment of Chen Chi-li's taped confession, which the F.B.I. has had for weeks, giving rise to concern about a joint U.S.-Taiwan doctoring of this taped confession; the growing conflicting newspaper reports of drastically differing versions of this tape recording, with a recently leaked one from Taipei alleging that Chen Chi-li had no official support in this murder.

4. A cowardly campaign orchestrated from the Taiwan Government to discredit Henry Liu by leaking alleged spy letters, and spy rumours which have been given widespread publicity in the press;

5. Recent intimidating approaches by the F.B.I. and Taiwan Government officials to members of our Committee who were suspected of writing about the Chen Chi-li tape recording, or of having any information regarding this tape. In fact, one of our committee members was threatened by a C.C.N.A. official over this matter;

6. The refusal of the Justice Department to seek federal civil rights indictments against any of the killers or their sponsors, and the instructions of the F.B.I. and the Justice Department to local law enforcement to limit their indictments, and investigation away from Taiwan officials.

7. The failure of the federal F.B.I. and local investigative team to interrogate the several Taiwanese officials arrested in connection with this murder during their January trip to Taipei;

8. Interference by C.C.N.A. officials with local law enforcement and offering of gifts by the C.C.N.A. to local police;

9. Disturbing statements from local and federal law enforcement that this case will soon be closed, without any U.S. or state prosecutions or trials of anybody;

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10. The failure of the Taiwan Government to appoint an independent Warren type commission or special prosecutor such as was recently created in the Aquino case and in Israel, to conduct a blue ribbon, bona fide investigation into Taiwan's official involvement in this crime. Instead, Taiwan has only entrusted the investigation of the crime to another military intelligence official, Gen. Wang Ching-hsi, who himself has been identified in at least one news report of having approved the murder of Henry Liu in advance. (Formosan Weekly, Los Angeles).

11. The State Department recently stated that they would rather this whole incident and all of its details be kept quiet for twenty years, because of the political repercussions of the identification of government officials in Henry Liu's murder;

12. The failure of U.S. authorities to arrange for the arrest and surrender of Tung Kuei-shen, aka Little Tung who is in hiding in the Philippine Islands, and who is rumoured to wish to surrender to the U.S. Published reports state that Tung fears he will be assassinated by Taiwanese agents, and would only feel safe in U.S. hands.

I and the Committee to Obtain Justice for Henry Liu are not pleased with the conduct of the U.S. Government so far in this case. We have found a profound historic precedent against which we can measure the U.S. official response to Henry Liu's death, and against which the U.S. response is found wanting. Almost a hundred years ago, a mob of American miners killed twenty eight Chinese miners in Rock Springs, Wyoming. Unlike the conduct of our Government in this case, the Chinese Government then made vigorous protests on behalf of its murdered subjects. As a result, this Congress, in 1887, voted an indemnity to the families of the murdered Chinese, totaling \$147,000.

Since my husband's death, I have received no words of condolence or regret from any representative of the Taiwan Government, despite the admitted involvement of Taiwan officials in his murder. On the contrary, that Government has only acted coldly and insolently, in a manner which is unacceptable under both Chinese and American customs. It is disheartening to me, as Henry Liu's widow, to my Committee members, and, I believe, to the American public, that our Government has taken this rude and insolent behavior from Taiwan, without any public reproof. I and the Committee appeal to you, the Congress, to express a sincere and stronger response to the killers and their sponsors in official places in Taiwan; we appeal to you to help us obtain Justice for my murdered husband, Henry Liu! Thank you.